

Senate Amendment 3496

PAG LIN

1 1 Amend Senate File 512 as follows:
1 2 #1. Page 4, by striking line 13 and inserting the
1 3 following: <dealing in performance of the pharmacy
1 4 benefits manager's contractual obligations toward the
1 5 covered entity.>
1 6 #2. Page 4, by striking lines 27 and 28 and
1 7 inserting the following:
1 8 <a. The aggregate amount of all rebates>.
1 9 #3. Page 4, line 29, by striking the word <by> and
1 10 inserting the following: <from>.
1 11 #4. By striking page 5, line 33, through page 6,
1 12 line 6, and inserting the following:
1 13 <2. Information disclosed to a covered entity
1 14 pursuant to section 155B.4 shall be deemed a trade
1 15 secret for the purposes of chapter 550. Any
1 16 disclosure of such information beyond that authorized
1 17 by section 155B.4 and this section shall be deemed a
1 18 misappropriation as defined in section 550.2 and is a
1 19 violation of chapter 550 for which the remedies
1 20 provided in chapter 550 shall be applicable.
1 21 3. This section does not prohibit a covered entity
1 22 from disclosing information made confidential and
1 23 proprietary under this section to the commissioner
1 24 pursuant to a written request initiated by the
1 25 commissioner. Information disclosed to the
1 26 commissioner pursuant to this subsection shall be held
1 27 by the commissioner as confidential and proprietary
1 28 information not subject to public inspection or
1 29 disclosure or to further dissemination.>
1 30 #5. Page 6, line 22, by striking the word <may>
1 31 and inserting the following: <and the pharmacy
1 32 benefits manager shall mutually>.
1 33 #6. Page 7, by striking lines 23 through 32 and
1 34 inserting the following: <entity the cost of both
1 35 drugs and any benefit or payment directly or
1 36 indirectly accruing to the pharmacy benefits manager
1 37 as a result of the substitution. A pharmacy benefits
1 38 manager is not required to disclose the information
1 39 required in this subsection to the covered entity
1 40 under any of the following circumstances:
1 41 a. The drug substitution is initiated for patient
1 42 safety reasons.
1 43 b. The currently prescribed drug is no longer
1 44 available in the market.>
1 45 #7. Page 8, line 24, by striking the word
1 46 <twenty=four> and inserting the following: <a
1 47 reasonable period of time, not to exceed seventy=two>.
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1 50
2 1 JEFF DANIELSON
2 2 SF 512.301 82
2 3 pf/cf/10551